

# In The United States Court of Federal Claims

No. 07-359C

(Filed: June 18, 2009)

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SERAPHIM TRANSPORT COMPANY,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

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## ORDER

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On June 16, 2009, defendant filed an opposed motion for a twenty-one day enlargement of time, to and including July 14, 2009, in which to respond to plaintiff's second amended complaint. The latter document has been in defendant's possession since it was filed on October 7, 2008, over eight months ago. Furthermore, when a five-month stay of this case was lifted at defendant's request on May 5, 2009, the court adopted the parties' proposed plan providing defendant with an additional seven weeks in which to file a response to plaintiff's second amended complaint. Ordinarily, RCFC 15(a)(3) requires a response within ten days of an amended pleading. In the court's view, defendant has not provided an adequate explanation as to why a further twenty-one days is required to answer the amended complaint. Accordingly:

1. Defendant's motion for an enlargement of time in which to respond to plaintiff's second amended complaint is **DENIED**, in part;
2. On or before, June 30, 2009, defendant shall file its response to plaintiff's second amended complaint; and
3. **No further enlargements of this deadline shall be granted.** If defendant does not file its response by the new deadline, the court will enter a general denial on its behalf.

**IT IS SO ORDERED.**

s/ Francis M. Allegra

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Francis M. Allegra

Judge